



2007 Calendar of Events

Please mark your calendar for these upcoming NCBA events. Locations to be announced via the newsletter and website (www.nevadacountybar.com) unless otherwise noted.

- July 20 Noon – 1:30 Free MCLE!
Courthouse, 201 Church St. Nevada City
- July 25 NCBA Lunch – Oral Argument re:
An active Federal Case.

A Farewell GALA for Judge Dover - Sept 20th
at the foundry – bring your dancing shoes!

Truckee attorney Gayle Tonon and Nevada City attorney Stephen Munkelt will square off in what promises to be an unusual presentation regarding Civil Rights and the First Amendment in Nevada County. The program begins at noon. RSVP to Judy Ford by July 20 and plan to participate.

26 Counties have changed local Rules of Court as of July 1, 2007 –of note: Sacramento; Placer; Yuba; El Dorado; Butte.

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Next MCLE Luncheon

JULY 25, 2007

**Where: Stonehouse Restaurant
107 Sacramento Street
Nevada City**

**When: July 25, 2007
11:30 a.m. Executive Committee
12:00 General Membership**

**Price: \$26 ea. Members with RSVP
\$30 ea. No RSVP**

Program includes 1 hour of MCLE Credit:

Program will be Steve Munkelt & Gayle Tonon who will present on their current Federal case.

Attendees should email jlfordlaw@yahoo.com with their meal choice before July 20, 2007 in order to receive advance pricing.

President's Message

Extraordinary People

Our small legal community has been blessed with some extraordinary people for quite some time. On June 25 at the Nevada City Winery, the Nevada County Legal Assistance, Inc. and Lawyer Referral Service celebrated its 30th anniversary. As part of the celebration, the current board honored those extraordinary people who were the original board members in 1977: Charles White, Don Hanson, Patricia Kepler, Ron Wolfson and the Honorable Sean Dowling. Dedicated to providing assistance and access to justice through low cost or pro-bono legal aid, these individuals

helped create what is now one of the oldest such organizations in Northern California. Most significantly for our community, besides its very existence, the program has always been local. Our citizens in need of legal assistance don't need to go to Auburn or Sacramento for help. They can find it here. Thanks to those "pioneer" board members, justice became more accessible to all citizens of our county.

Another extraordinary member of our legal community honored at the NCLA anniversary was Joe Bell. Joe was recognized for his ongoing commitment to access to justice for the citizens of Nevada County. Since he came to our community from San Francisco in 1980, Joe has been a dedicated and tireless supporter of Nevada County Legal Assistance as well as many other community programs. He, among others, has been instrumental in keeping NCLA alive during times of crisis and helping it become a thriving program today.

Another of our outstanding lawyer-citizens, Nanci Clinch, has been busy this past month rallying the legal community in support of Project Pink: the Sierra Nevada Memorial Hospital Foundation's effort to obtain funds to purchase an x-ray digital specimen radiograph for our hospital. This state of the art machine will help in the early detection of breast cancer. If you have not already, contact Nanci and make a contribution.

Speaking of extraordinary people, the Judicial Council of California is now inviting nominations for its Distinguished Service Awards, Honoring Excellence in the Judicial Branch. These awards honor colleagues who make extraordinary contributions to our court system and help to personify our ideals by their dedication to the administration of justice. The Jurist of the Year recognizes individuals who exemplify the strengths of leadership that have improved the administration of justice statewide. The Judicial Administration Award honors individuals in judicial administration for significant contributions to and leadership in their profession statewide. The Bernard E. Witkin Amicus Curiae Award honors individuals other than members of the judiciary for outstanding contributions to the courts of California. For information on the awards and nomination forms, visit the California Courts Web site at or call Claudia Fernandes at the Administrative Office of the Court, 415-865-7799. The deadline for nominations is August 1.

Did you mark your calendar for our Thursday, September 20 Law Day Celebration at the Miners' Foundry? We will be honoring the Honorable Al Dover, who officially retired from the Nevada County Bench in February. Invitations for the dinner dance will be sent next month.

Finally, be sure to attend our NCBA MCLE luncheon on Wednesday, July 25, 2007 at the Stonehouse Restaurant. Truckee attorney Gayle Tonon and Nevada City attorney Stephen Munkelt will square off in what promises to be an unusual presentation regarding Civil Rights and the First Amendment in Nevada County. The program begins at noon. RSVP to Judy Ford by July 20 and plan to participate.

Stephen C. Baker, President NCBA

Courthouse Notes:

Comings & Goings:

Please join the Public Defender's Office in welcoming ***Keri Goodrow as a Deputy Public Defender***. Keri comes to us from Yolo County. She is an experienced trial attorney.

Anna Ferguson is the new Assistant D.A. She joins us from the D.A.'s office in King County, CA. Anna has 14 years experience practicing law in private practice, and as a prosecutor at the state and local level. She has been a good fit into the office.

The newest hire is Gregory Weston who was previously at the Siskiyou Co. D.A.'s Office. Greg is a six year veteran prosecutor and doing a great job for the D.A.'s office in Truckee and Nevada City.

PLACER COUNTY:

Welcome to the newest addition to the Placer County bench, Judge Mark S. Curry.

COMMUNITY EVENTS:

Sept. 14th Golf for KARE Crisis Nursery

Contact Bob or Debbie Krogman (530) 268-8199

Sept. 23rd 6th Annual BILL SCHULTZ CLASSIC Golf Tournament supporting Community Recovery Resources

Auburn Valley Country Club – Call Jim Phelps at (530) 273-9541.

Section Notes

Criminal Law Section:

Criminal Defense Committee will be meeting the 2nd TUESDAY of the month at 5:30 p.m. at the Stonehouse Restaurant. (If you would like to receive the group's e-mail notices, call Anita at 265-8508.)

The meetings are kept to about one hour max, so as many as possible can attend. There are kudos each month for individual successes, and contributions to criminal defense - if you have a nomination, tell Steve or Anita at 265-8508. - Steve Munkelt

Family Law Section:

July meeting has yet to be set. Information will be faxed to section members or contact Chuck Eckerman at (530) 477-2440.

ADR Section: Our next meeting will be Wednesday, August 22, at Noon at Kane's Restaurant in Grass Valley; we'll work on planning our Jan.2008 MCLE program and enjoy another mediation tactics brainstorming session.

Gold Country Estate Planning Council:

We pick up again in September. Meeting monthly at 11:45 a.m.-1:15 p.m., every first Wednesday. The luncheon meetings are held at the Trolley Junction Café (at the Northern Queen Inn) in Nevada City. All are welcome! To RSVP for the next meeting, please call Terry Brown at 273-1323. Or check out the website: www.estateplanningcouncil.net.
<<http://www.estateplanningcouncil.net>>

If you have an event you are involved in – let me know & I will include it as space permits. hstauts@nevadacountycourts.com

Lawyer Referral Service: New Address & phone:

Their new address is 120 N. Church Street, Suite 214, Grass Valley, CA 95945. They can be reached by phone at 530/272-5962.

Ca State Bar Looking for Trust & Estates Experts: Volunteers for a Speakers Bureau to avoid Trust Scams.

Contact: susan.orloff@calbar.ca.gov

Request for Public Comment

Appellate Procedure: Rules and Forms for the Superior Court Appellate Divisions SP07-18

This proposal would completely revise all of the rules relating to the superior court appellate divisions to place the rules in a more logical order, reflect current practices, fill in gaps in the rules, eliminate outdated language, and update the remaining language so it is similar to the recently revised rules for the Courts of Appeal. A complete package of new forms for civil and criminal appeals and writ proceedings in the appellate divisions are also proposed to assist litigants, particularly self-represented litigants, in these proceedings.

Rule and Form Proposals Required by the Omnibus Conservatorship and Guardianship Reform Act of 2006

Proposals covering qualifications and education of court probate staff and appointed counsel in conservatorships and guardianships, education of judicial officers assigned to probate matters, standards of practice for conservators and guardians of estates, increased surety bond requirements, forms for standard and simplified accountings in conservatorships and guardianships, and more. Please see the list of proposals below.

Telephone Appearances in Civil Cases (amend Cal. Rules of Court, rules 3.670 and 3.722 and standard 3.1)

To further improve the availability of telephone appearances, rule 3.670 would be amended. The rule would permit parties to appear by telephone at case management conferences, unless the court determines on a hearing-by-hearing basis that a personal appearance is required. Other changes would be made to the rule to clarify the types of hearings and conferences at which parties may appear by telephone. The time for a party to provide notice of intent to appear by telephone would be shortened, and a provision would be added permitting a party to join in a request to appear by telephone.

<http://www.courtinfo.ca.gov/invitationstocomment/iproposals.htm>

EASY DONATION OPPORTUNITY!

1. Complete a short form at nolo.com/library/matching_funds.cfm
2. Name Nevada County Law Lib.
3. Donate an amount & Nolo will MATCH!
4. Tax deduction for you, more books for NCLL!

Please bring in any MCLE CD/Tapes you have and we will make them available for checkout.

Law Library Report -

Major items discussed at the Law Library Trustees meeting of June 13th were finances, insurance, and subscriptions.

With closer management of our subscription costs, the Library's finances continue to improve.

June fiscal reports show the Library with positive cash flow for the current fiscal year through the end of May, with our reserves just shy of our February high. As of May 31st, the Library had reserves of \$25,190. While our finances still require close monitoring, it appears that no further subscription reductions will be needed in the near term.

We continue to examine insurance options. After reducing our insurance bill by several thousand dollars last year by joining the County's risk pool, we are now looking at the valuation of our books (our primary asset) to make sure they are appropriately insured. There may be some room to further reduce our premiums without leaving the Library underinsured. We will look at this further at our next meeting in August.

Finally, the Board voted to renew the Cal.Jur. subscription to keep these materials current, as they are among the more popular materials, especially among more experienced members of the bar. While we have only committed the \$800 for pocket parts to bring the books up to date, we will monitor these costs (which are about \$300 per revised volume plus pocket part costs) to try to preserve the value of this asset for our patrons who value it.

Topics for discussion at our August meeting include finances, insurance and our annual report to the Board of Supervisors. There will be no meeting in July given that the stability of our operations achieved by our staff, which permits us to meet less than monthly.

If you have thoughts or concerns about the Law Library, contact Trustees Mike Colantuono (432-7359, mcolantuono@cllaw.us); Rob Shulman (265-1510, rob.shulman@co.nevada.ca.us); or David Alkire (265-6667; alkirelaw@myway.com).

- Mike Colantuono

9.2 Million Cases Filed in CA:

During fiscal year 2005–2006, more than 9.2 million cases were filed in the California court system, and more than 11,000 jury trials were held, according to the Judicial Council's *2007 Court Statistics Report*.

The report provides detailed statewide caseload data for fiscal year 2005–2006 as well as 10-year trend data on a wide range of court business. Comprehensive individual county data also are published in the online version of the report, posted on the California Courts Web site at

www.courtinfo.ca.gov/reference/3_stats.htm.

State News:

Governor Schwarzenegger recently announced the appointments 26 New Judges in 11 Counties. Not yet in Nevada County! New Members of Judicial Council

Chief Justice George last week appointed three new members to the council: Justice Brad R. Hill, Court of Appeal, Fifth Appellate District; Judge George J. Abdallah, Jr., Superior Court of San Joaquin County; and Michael D. Planet, Executive Officer, Superior Court of Ventura County.

Statewide Meetings and Events

Save the Date: Bench-Bar Conference
The Judicial Council, the California Judges Association, and the State Bar of California are co-hosting the California Bench-Bar Biannual Conference on September 26-30 in Anaheim. Information on the conference, including the agenda and hotel and conference registration, is expected to be available June 4. Contact: AOC Education Div, 415-865-7745 or mailto:cjerprograms@jud.ca.gov jerprograms@jud.ca.gov

CLASSIFIEDS

Office available Now in 7-Hills District of Nevada City behind Peace Center at 102B Argall Way. \$450-\$475 per month includes utilities & 1 year lease. To see, Call Shirley at 265-5545.

Free MCLE!

On Friday July 20, noon – 1:30

Local attorney William Walker will present on “**Substance Abuse & Legal Options**”.

Join us at the courthouse for 1 hour of MCLE and an interesting presentation. Thank you Bill!

All presentations are available via videoconferencing at the Truckee Courthouse – please RSVP so we can set up the equipment.

See our Web Page “nevadacountycourts.com” for all 2007 listings.

Speaking of MCLE, are you interested in presenting an MCLE class with the Nevada County Bar? Contact any of the bar officers for details. Share your knowledge.

**Law Day Dinner
September 20, 2007
Celebrating & Dancing at
The Foundry!**

NCBA CONTACT INFORMATION

OFFICERS

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Nevada County Bar Association

**MCLE LUNCH
WED. JULY 25TH
NOON**

**THE STONEHOUSE RESTRUANT
NEVADA CITY**
